

HB 2935 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 4/15, 4/22

WHAT THE MEASURE DOES:

The measure requires the Oregon Criminal Justice Commission to study pretrial release practices and outcomes in Oregon.

Detailed Summary

Requires the Oregon Criminal Justice Commission (the Commission) to study pretrial release practices and outcomes in Oregon, including

- aggregate data for pretrial criminal proceedings,
- data regarding failures to appear for court hearings,
- demographic data of pretrial release populations, and
- other relevant data.

Requires the Commission to submit a report on the results of the study to the House and Senate Judiciary Committees by May 1, 2027. Requires the Oregon Judicial Department to assist the Commission in performing the study and to provide information necessary to perform the study. Limits the use of data collected in this study to statistical purposes.

Sunsets on January 2, 2028.

HOUSE VOTE: Ayes, 57; Nays, 1; Excused, 2

REVENUE: No revenue impact

FISCAL: Has minimal fiscal impact

ISSUES DISCUSSED:

- Scope and goals of the study
 - Current state of pretrial release system (demographics, release rates, and other areas)
 - Including all defendants eligible for pretrial release, whether in or out of custody
 - Failures to appear
 - New crimes on release
- Data availability and quality before and after passage of SB 48 (2021)

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon Criminal Justice Commission is established by ORS 137.654 "to improve the effectiveness and efficiency of state and local criminal justice systems by providing a centralized and impartial forum for statewide policy development and planning." Among other roles, the Commission collects and analyzes data related to criminal justice. As a relevant example, the Commission published a report on pretrial release titled, "[A Cost-Benefit Analysis of Pretrial Release in Oregon](#)" in 2020. Starting in 2022, SB 48 (2021) modified release procedures for defendants awaiting trial on criminal matters by, among other things, requiring the presiding judge

of each judicial district to enter a standing pretrial order establishing certain pretrial release criteria and by requiring the Chief Justice of the Supreme Court of Oregon to establish release guidelines for those orders.

PRELIMINARY